

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CONSOLIDATED UNDER
CASE NO. 05-10155 PBS

YISEL DEAN, Independent Administratrix of the Estate of
STEVEN DEAN, deceased, and on behalf of all statutory
beneficiaries,
Plaintiff,

V.

DOCKET NO: 05cv10155 PBS

RAYTHEON COMPANY, a Delaware corporation,
RAYTHEON AIRCRAFT COMPANY, a Kansas Corporation,
RAYTHEON AIRCRAFT CREDIT CORPORATION, a
Kansas Corporation, COLGAN AIR, INC., a Virginia
Corporation d/b/a US Air
Express,
Defendants.

LISA A. WEILER, Administratrix of the Estate of SCOTT A. KNABE, deceased, and on behalf of all statutory beneficiaries,
Plaintiff,

V.

DOCKET NO: 05cv10364 PBS

RAYTHEON COMPANY, a Delaware corporation,
RAYTHEON AIRCRAFT COMPANY, a Kansas Corporation,
RAYTHEON AIRCRAFT CREDIT CORPORATION, a
Kansas Corporation, COLGAN AIR, INC., a Virginia
Corporation d/b/a US Air Express,
Defendants.

**DEFENDANTS' MOTION *IN LIMINE* TO PRECLUDE REFERENCE BY PLAINTIFFS
THAT PLAINTIFFS' COUNSEL ARE PILOTS**

The defendants hereby respectfully move for an order *in limine* precluding the plaintiffs from referencing the fact that two of plaintiffs' attorneys, Mary Schiavo and Donald McCune, are pilots or have piloting experience. Attorney Schiavo holds a private pilot's license. Attorney McCune has extensive experience as a military and commercial pilot. Allowing plaintiffs' counsel to reference the fact that either Attorney Schiavo or Attorney McCune are pilots, or have piloting experience, would be unduly prejudicial to the defendants, as the jury would likely give more weight to the arguments made by plaintiffs' counsel given their experience. Such information could also lead the jury to consider plaintiffs' counsel to be "experts" on piloting, which could affect the jury's ability to weigh all of the evidence in the case impartially. Given the likely prejudicial effect that a reference to plaintiffs' counsel being pilots would have, such references must be excluded. Fed. R. Evid. 403.

Additionally, the fact that Attorneys Schiavo and McCune are pilots is completely irrelevant to the merits of this case, and therefore, has no probative value whatsoever. Given that it is irrelevant that two plaintiffs' attorneys are pilots, any reference to their status as pilots, or the fact that they have piloting experience, must be excluded. Fed. R. Evid. 401.

WHEREFORE, the defendants respectfully request that this Court enter an order *in limine* precluding the plaintiffs from referencing the fact that two of plaintiffs' attorneys, Mary Schiavo and Donald McCune, are pilots or have piloting experience.

RAYTHEON DEFENDANTS,
By Counsel,

/s/ Peter C. Knight

Peter C. Knight, BBO # 276000
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I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on January 26, 2007.

/s/ Peter C. Knight

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-AND-

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